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Comm. Amdt. _____

Amendment No. 1 to HB3661

**Coleman
Signature of Sponsor**

AMEND Senate Bill No. 3439*

House Bill No. 3661

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 4, is amended by adding the following as a new section:

Section 55-10-454.

(a)

(1) There is created within the department of safety a DUI offender registry of persons whose motor vehicle operator's license is revoked or suspended and who have been convicted of:

(A) Two (2) or more violations of § 55-10-401; or

(B) Any offense in which § 55-10-401 is an essential element of the offense.

(2) In order to qualify for inclusion on the DUI offender registry, at least one (1) of the offender's convictions must be for a DUI violation that occurred in this state on or after January 1, 2009.

(b) This registry shall be maintained by the department of safety utilizing the abstracts prepared pursuant to §55-10-306. The registry shall be made available for public inquiry on the Internet at the respective websites of the department of safety and the Tennessee bureau of investigation. The registry

shall also include public information regarding when a DUI offender is eligible to receive a restricted motor vehicle license and for what purposes the license may be issued under Tennessee law.

(c) The registry shall consist of the person's name, date of birth, residential address, number of DUI convictions, conviction dates, county and state of convictions, the person's driver license photograph or photo identification license photograph, and such other identifying data as the department of safety determines is necessary for the public to properly identify the person, but shall not include the person's social security number. The registry shall also contain the date on which the offender's motor vehicle operator's license was revoked and whether such person has been issued a restricted motor vehicle operator's license.

(d) The department of safety shall remove from the registry the name and other identifying information of any person whose motor vehicle operator's license is no longer suspended or revoked within forty-five (45) days of the date the person's motor vehicle operator's license has been reinstated.

(e)

(1) In addition to any other fine, fee, penalty or other punishment, there is assessed a separate DUI offender registry fee of fifteen dollars (\$15.00) upon any person convicted of:

(A) A second or subsequent violation of § 55-10-401; or

(B) Any offense in which § 55-10-401 is an essential element of the offense.

(2) The DUI offender registry fee imposed pursuant to subdivision (1) shall be assessed and collected upon the person's conviction and shall be transmitted to the state general fund for appropriation to the

department of safety to implement and administer the DUI offender registry created by this section.

SECTION 2. For the purposes of the department of safety implementing the repeat DUI offender registry, this act shall take effect upon becoming law, the public welfare requiring it. For all other purposes, it shall take effect on January 1, 2009, the public welfare requiring it.